

FISCAL NOTE

HB 2563 - SB 2664

February 17, 2006

SUMMARY OF BILL: Enacts the "Cemetery Consumer Rights Act". Requires the execution of a deed for the conveyance of burial lots. Any cost to register the deed with the County Clerk would be paid by the cemetery. Requires all cemeteries to make available a map showing the location of all lots, and to register the map with the county clerk by January 15, 2008 and every year thereafter.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Increase Local Govt. Revenues – Exceeds \$100,000

Increase Local Govt. Expenditures – Exceeds \$100,000*

Assumptions:


- A not significant increase in state expenditures to the Department of Commerce and Insurance to enforce the new regulations.
- An increase in local government revenues from fees from the increased filings with county clerks.
- An increase in local government expenditures exceeding \$100,000 for county clerks to conduct deed registration. Currently, county registers record deeds. Clerks will need additional personnel and related supplies.
- Any cost for recording deeds is paid by the cemetery. Recording fees will offset the costs to county clerks for assuming these additional duties. Therefore any cost to set up the county clerks to record this information will be recovered by a fee sufficient to offset such costs.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director